

Serial No. 09/714,409
Atty Docket No. 1033-ORD
Response 9-17-03
Page 2 of 9

In the Claims:

Please amend the claims as follows:

Claim 1 (Currently Amended). ~~A viral~~ An adenoviral vector comprising an E2F responsive transcriptional nucleotide regulatory site that controls the expression of ~~a viral~~ an early adenoviral gene, and a mutation in the E1a region of said adenoviral vector, which mutation causes a loss of RB binding to the protein encoded by the E1a region.

Claim 2 (Canceled).

Claim 3 (Canceled).

Claim 4 (Currently Amended). ~~A viral~~ An adenoviral vector as described in claim 3 1, wherein said transcriptional nucleotide regulatory site is a promoter.

Claim 5 (Currently Amended). ~~A viral~~ An adenoviral vector as described in claim 4, wherein said E2F responsive promoter is substituted for an endogenous adenoviral E1a promoter.

Claim 6 (Canceled).

Claim 7 (Currently Amended). ~~A viral~~ An adenoviral vector as described in claim 6 5, wherein said viral vector further comprises nucleotide regulatory sites that substantially facilitate viral replication comprising Sp1, ATF, NF1 and NFIII/Oct-1.

Claim 8 (Currently Amended). ~~An viral~~ An adenoviral vector comprising a viral transcriptional nucleotide regulatory site that controls the expression of ~~a viral~~ an early adenoviral gene, wherein said site is inactivated by the insertion of an E2F responsive transcriptional nucleotide regulatory site such that said E2F responsive

Serial No. 09/714,409
Atty Docket No. 1033-ORD
Response 9-17-03
Page 3 of 9

transcriptional nucleotide regulatory site controls the expression of said viral gene,
and said adenoviral vector further comprises a mutation in the E1a region of, which
mutation causes a loss of RB binding to the protein encoded by the E1a region.

Claim 9 (Canceled).

Claim 10 (Canceled).

Claim 11 (Currently Amended). ~~A viral~~ An adenoviral vector as described in
claim ~~10~~ 8, wherein said inactivated transcriptional nucleotide regulatory site is a
promoter.

Claim 12 (Currently Amended). ~~A viral~~ An adenoviral vector as described in
claim 11, wherein said inactivated transcriptional nucleotide regulatory site is an
endogenous adenoviral E1a promoter.

Claim 13 (Canceled).

Claim 14 (Currently Amended). ~~A viral~~ An adenoviral vector as described in
claim 11, wherein said inactivated transcriptional nucleotide regulatory site
comprises both an endogenous adenoviral E1a and E4 promoters.

Claim 15 (Currently Amended). ~~An viral~~ An adenoviral vector as described in
claims 1 or 8, wherein said transcriptional nucleotide regulatory sequence that is
E2F responsive is human E2F-1.

Claim 16 (Currently Amended). A method for killing cancer cells in the
presence of normal cells, comprising the steps of: contacting under infective
conditions (1) an ~~viral~~ adenoviral vector as described in claims 1 or 8 with (2) a cell
population comprising cancer and normal cells, and allowing sufficient time for
said ~~virus~~ adenovirus to infect said cell population.